



Dated: May 26, 2010 13:54:52

The following is ORDERED:

A handwritten signature in black ink, appearing to read "Niles Jackson", is written over a horizontal line.

Niles Jackson
United States Bankruptcy Judge

**UNITED STATES DISTRICT BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In re: SHAUNA EIHLEEN SMITH,)

Plaintiff,)

vs.)

Case No. 05-26930 NLJ

ALLIED PHYSICIANS GROUP, INC.,)

D. JOE ROCKETT,)

LINDSEY W. ANDREWS,)

CLARK & ROCKETT, P.C.,)

ROCK PILE, L.L.C.,)

BRENT D. SIEMENS, and)

BRENT D. SIEMENS, INC.,)

Plaintiffs,)

vs.)

SHAUNA EIHLEEN SMITH,)

Defendant.)

ORDER DISMISSING DEFENDANT'S COUNTERCLAIM

On April 29th, 2010, Allied Physicians Group, Inc., filed its motion to dismiss (Doc #9) Defendant, Shauna Eihleen Smith's counterclaim (Doc #8) against it for an alleged violation of

the automatic stay, 11 U.S.C. §362. Upon representation of counsel notice of said motion to dismiss was given pursuant to Local Rule 9007 by electronic filing to Mr. David A. Cheek, Jeff M. Love, Jerry J. Dunlap, II, and by first class mail to Shauna Eihleen Smith at her current address as shown by the pleadings herein. No response or objection to said motion has been filed by any party and therefore pursuant to Local Rule 9013(f) the request for relief may be deemed confessed and the relief granted ex parte.

Pursuant to the representation of the undersigned counsel, notice of this motion was proper, no response or objection has been filed, and the motion should be sustained and the counterclaim as filed by Shauna Eihleen Smith against Allied Physicians Group, Inc., should be dismissed.

IT IS THEREFORE ORDERED that the counterclaim as filed by Shauna Eihleen Smith against Allied Physicians Group, Inc., is hereby **DISMISSED**.

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Approved for Entry:

/s/ James A. Slayton
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